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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,288	11/21/2003	Steven R. Sedlmayr	AUO1012	2140
7590 08/15/2005				
Law Office of Roxana H. Yang P.O. Box 400 Los Altos, CA 94023				
			EXAMINER	
			FINEMAN, LEE A	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/719,288	Applicant(s) SEDLMAYR, STEVEN R.	
	Examiner Lee Fineman	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 125-128 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 125-128 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to an amendment filed 16 June 2005 in which claims 125 and 127 were amended. Claims 125-128 are pending.

Claim Objections

1. Claims 127-128 are objected to because of the following informalities: The newly amended claim 127 mistakenly removes "as" in section [iv] making it grammatically incorrect. The dependent claim inherits the deficiencies of the claim from which it depends. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 125-128 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 125 and 128 include the newly added limitation in [b] [v] of means for combining more than two altered separate primary color beams of light into a single collinear beam of light without previously subcombining any plurality of the altered separate primary color beams. However, the claims also include limitations [d] [i] and [ii] which state each

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altering means being disposed at a first path length from the illumination subsystem, the first path length being equal for each of the altering means; and each of the altering means being disposed at a second path length from the projection subsystem, the second path length being equal for each of the altering means. The specification and drawings fail to include both of these limitations together in the system/method. In fact, figures (e.g. 8B and 8D) that include a means for simultaneous combining of the altered beams have **unequal** path lengths from the illumination subsystem to the altering means. Therefore the newly added limitation/combination is considered new matter.

The dependent claims inherit the deficiencies of the claims from which they depend.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 125-128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurematsu et al., U.S. Patent No 5,153,752 in view of Konno et al., U.S. Patent No 4,497,015.

Kurematsu et al. disclose in fig. 2 a system and method of displaying an image comprising [a] an illumination subsystem (20) including means for producing a primary beam of light having a predetermined range of wavelengths, randomly changing orientations of a chosen component of electric field vectors; [b] a modulation subsystem (21-25), including; [i] means (21, 22, 23) for converting the randomly changing orientations of a chosen component of electric

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field vectors of said primary beam into substantially the same orientation (S polarization) of a chosen component of electric field vectors; [ii] means (24) for separating the primary beam of light into two or more primary color beams of light (R(S),G(S),B(S)), each of the primary color beams having the same selected predetermined orientation of a chosen component of electric field vectors as that of the other primary color beams (S polarization); [iii] two or more altering means (25R, 25G, 25B) for changing the selected predetermined orientation of a chosen component of electric field vectors; [iv] means (24) for passing the plurality of portions of each of the separate primary color beams of light through a respective one of the altering means (25R, 25G, 25B) whereby the selected predetermined orientation of the chosen component of the electric field vectors of the plurality of portions of each of the separate primary color beams of light is altered in response to a stimulus means by applying a signal means to the stimulus means in a predetermined manner as each of the separate primary color beams of light passes through the respective one of the plurality of means for altering the selected predetermined orientation of the chosen component of the electric field vectors (column 7, lines 11-26); [v] means (24) for combining the altered separate primary color beams of light into a single collinear beam of light more than two altered separate primary color beams of light into a single collinear beam of light without previously subcombining any plurality of the altered separate primary color beams (fig. 2) and without substantially changing the altered selected predetermined orientation of the chosen component of the electric field vectors of the plurality of portions of each of the separate beams of light; [vi] means (21, 22, 23) for resolving from the single collinear beam of light a first resolved beam of light having substantially a first selected predetermined orientation of a chosen component of electric field vectors and a second resolved beam of light having substantially a

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second selected predetermined orientation of a chosen component of electric field vectors, whereby the first and second selected predetermined orientation of the chosen component of the electric field vectors are different from one another (S polarization vs. P polarization); [c] a projection subsystem (26) and means (26) for passing at least one of the resolved beams from the single collinear beam of light thereto; [d] [i] each altering means being disposed at a first path length from the illumination subsystem, the first path length being equal for each of the altering means (fig. 2); and [ii] each of the altering means being disposed at a second path length from the projection subsystem, the second path length being equal for each of the altering means (fig. 2). Kurematsu et al. disclose the claimed invention except for the primary beam being a substantially uniform flux intensity substantially across the initial beam of light and a rectangular cross sectional area. Konno et al. disclose a light illumination device (fig. 5) which produces a primary beam (at M) which has a substantially uniform flux intensity substantially across the initial beam of light (column 5, lines 43-52) and has a rectangular cross sectional area (using lens element 102, fig. 3; column 3, lines 5-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the light source of Kurematsu et al. with that of Konno et al. to have a more uniform intensity light beam and provide a more consistent image. The method of utilizing the structure of the claim is inherent therein.

Response to Arguments

6. Applicant's arguments with respect to claims 125-128 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Fineman whose telephone number is (571) 272-2313. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LAF

August 8, 2005


MARK A. ROBINSON
PRIMARY EXAMINER